

United States District Court  
DISTRICT OF DELAWARE

UNITED STATES OF AMERICA

v.

FREDERICK DANIELS

Criminal Complaint

CASE NUMBER: 06-48M-MPT

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about April 20, 2006 in Kent County, in the District of Delaware, the defendant committed the offense of being a felon in possession of a firearm, in violation of Title 18 United States Code, Section(s) 922(g)(1) and possession with the intent to distribute cocaine, in violation of Title 21 United States Code, Section(s) 841(a)(1) & (b)(1)(C).

I further state that I am a(n) Special Agent, Bureau of Alcohol, Tobacco, Firearms & Explosives and that this  
Official Title  
complaint is based on the following facts:

See attached Affidavit

Continued on the attached sheet and made a part hereof: Yes



A handwritten signature in blue ink, appearing to read "Scott C. Curley".

Signature of Complainant  
Scott C. Curley  
Special Agent, Bureau of Alcohol, Tobacco, Firearms & Explosives

Sworn to before me and subscribed in my presence,

April 21, 2006 at  
Date

Wilmington, DE  
City and State

Honorable Joseph J. Farnan, Jr.  
United States District Court Judge  
Name & Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT**

**DISTRICT OF DELAWARE**

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Scott C. Curley, being duly sworn, depose and say:

1. I am a Special Agent ("SA") with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms & Explosives ("ATF") and have been so employed since September 10, 2001. I was previously employed with the Pittsburgh Bureau of Police from February 15, 1993 until September 7, 2001. During that time, I served as a Federally Deputized Task Force Officer ("TFO") with the United States Department of Justice, Drug Enforcement Administration ("DEA") from June 1997 until June 1999. During my law enforcement career, I have made numerous arrests for violations of Federal firearms and drug laws. I make this affidavit in support of a criminal complaint against Frederick Daniels for the crimes of being a felon in possession of a firearm, in violation of title 18 U.S.C. § 922(g)(1), and for possession with the intent to distribute cocaine, in violation of 21 U.S.C. §§ (a)(1) & (b)(1)(C).

2. On April 20, 2006, I was contacted by Officer Ronald Marzec, who stated that on April 20, 2006, police officers executed a warrant at a residence in Hartly, Delaware. A search of the residence revealed the following items:

- a. Frederick Daniels;
- b. A Davis Industries, Model P-.380, .380ACP caliber pistol, serial number AP499111, loaded with 5 rounds of Winchester brand .380ACP caliber ammunition.
- c. A plastic bag containing four bags of suspected cocaine. This substance was field tested by Officer Marzec, utilizing a NIK field test kit. The results were positive for cocaine, a Schedule II controlled substance.

d. Several plastic bags containing suspected marijuana. This substance was field tested by Officer Marzec, utilizing a NIK field test kit. The results were positive for marijuana.

e. A Delaware Driver's License for Frederick Daniels.

f. Approximately \$4,255.00 in United States Currency.

g. A spiral-bound book containing what appears to be ledger-like entries documenting the sale, distribution and/or dispensing, of controlled substances.

3. During a post-*Miranda* interview of Daniels, conducted by Dover Police Officers Jason Pires and Marvin Mailey, Daniels admitted to the sole possession of the firearm, namely the Davis Industries, Model P-.380 caliber pistol, serial number AP499111 and the illegal drugs, which totaled approximately 6.5 net grams of cocaine HCl and approximately 9 gross grams of marijuana.

4. On April 20, 2006, I reviewed a DELJIS Charge Summary for Daniels. According to this document, Daniels was arrested on March 25, 2004 by the Seaford, Delaware Police Department for Reckless Endangering, First Degree, a felony offense. Daniels pled guilty to this charge on August 9, 2004. Furthermore, Daniels was arrested on June 10, 1996 by the Delaware State Police Department for Possession With Intent to Deliver a Non-Narcotic Schedule II Controlled Substance, a felony offense. Daniels pled guilty to this charge on October 15, 1996.

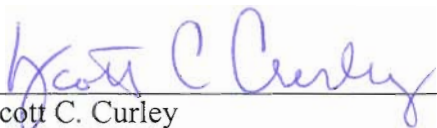
5. On April 20, 2006, ATF Special Agent David DiBetta obtained fingerprints of Daniels from Delaware State Police Troop 3 and had them compared to fingerprint cards for Frederick Daniels from his previous felony convictions for Reckless Endangering, First Degree, on August 9, 2004, and for Possession With Intent to Deliver a Non-Narcotic Schedule II Controlled Substance on October 15, 1996. The results of this

comparison verified that the fingerprints on the three cards were consistent with one another.

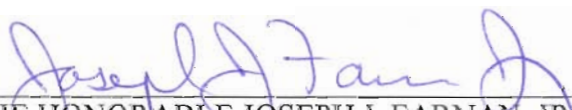
6. Based upon this information, I submit that there is probable cause to believe that Frederick Daniels has committed the crimes of being a felon in possession of a firearm, in violation of title 18 U.S.C. § 922(g)(1), and possession with the intent to distribute cocaine, in violation of 21 U.S.C. §§ (a)(1) & (b)(1)(C).

WHEREFORE, your affiant prays that this Court issue a criminal complaint for Frederick Daniels.

Your affiant, having signed this Affidavit under oath as to all assertions and allegations contained herein, states that its contents are true and correct to the best of his knowledge, information and belief.

  
\_\_\_\_\_  
Scott C. Curley  
Special Agent  
Bureau of Alcohol, Tobacco, Firearms &  
Explosives

SUBSCRIBED AND SWORN TO  
BEFORE ME THIS 21ST DAY  
OF APRIL, 2006.

  
\_\_\_\_\_  
THE HONORABLE JOSEPH J. FARNAN, JR.  
UNITED STATES DISTRICT COURT JUDGE